

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:	§	Case No. 07-38742-H3-7
	§	
JOHN PATRICK BOYLAN	§	
	§	
	§	
Debtor(s)	§	

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**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION REPORT  
CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED  
AND APPLICATION TO BE DISCHARGED (TDR)**

Ronald J. Sommers, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned:	\$697,835.00	Assets Exempt:	\$348,545.00
Total Distributions to Claimants:	\$1,253.28	Claims Discharged Without Payment:	\$4,345,313.45
Total Expenses of Administration:	\$1,752.85		

3) Total gross receipts of \$3,006.13 (see **Exhibit 1**), minus funds paid to the debtor(s) and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$3,006.13 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Secured Claims (from <b>Exhibit 3</b> )	\$355,286.00	\$62,530.00	\$62,530.00	\$0.00
Priority Claims:				
Chapter 7 Admin Fees and Charges (from <b>Exhibit 4</b> )	NA	\$1,752.85	\$1,752.85	\$1,752.85
Prior Chapter Admin Fees and Charges (from <b>Exhibit 5</b> )	NA	\$0.00	\$0.00	\$0.00
Priority Unsecured Claims (From <b>Exhibit 6</b> )	NA	\$23,047.92	\$23,047.92	\$1,253.28
General Unsecured Claims (from <b>Exhibit 7</b> )	\$3,914,119.86	\$2,044,295.65	\$2,044,295.65	\$0.00
<b>Total Disbursements</b>	\$4,269,405.86	\$2,131,626.42	\$2,131,626.42	\$3,006.13

4). This case was originally filed under chapter 7 on 12/21/2007. The case was pending for 29 months.

5). All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6). An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 05/18/2010

By: /s/ Ronald J. Sommers  
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 – GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN.CODE	AMOUNT RECEIVED
28% General Partnership interest in Birdwell Partners 28% Membership interest in Birdwell GP, LLC 100% Shareholder of Boylan Energy Corp.	1129-000	\$3,000.00
Interest Earned	1270-000	\$6.13
<b>TOTAL GROSS RECEIPTS</b>		<b>\$3,006.13</b>

The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES**

**EXHIBIT 3 – SECURED CLAIMS**

CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Countrywide	4110-000	\$332,853.00	NA	\$0.00	\$0.00
GMAC	4110-000	\$22,433.00	\$22,678.48	\$22,678.48	\$0.00
Harris County, et al	4110-000	NA	\$39,851.52	\$39,851.52	\$0.00
<b>TOTAL SECURED CLAIMS</b>		<b>\$355,286.00</b>	<b>\$62,530.00</b>	<b>\$62,530.00</b>	<b>\$0.00</b>

**EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN.CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Ronald J. Sommers, Trustee	2100-000	NA	\$751.53	\$751.53	\$751.53
Attorney for Trustee	3110-000	NA	\$961.00	\$961.00	\$961.00
Attorney for Trustee	3120-000	NA	\$40.32	\$40.32	\$40.32
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		<b>NA</b>	<b>\$1,752.85</b>	<b>\$1,752.85</b>	<b>\$1,752.85</b>

**EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

**EXHIBIT 6 – PRIORITY UNSECURED CLAIMS**

CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Internal Revenue Service	5800-000	NA	\$23,047.92	\$23,047.92	\$1,253.28

<b>TOTAL PRIORITY UNSECURED CLAIMS</b>	\$0.00	\$23,047.92	\$23,047.92	\$1,253.28
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**EXHIBIT 7 – GENERAL UNSECURED CLAIMS**

<b>CLAIMANT</b>	<b>UNIFORM TRAN. CODE</b>	<b>CLAIMS SCHEDULED</b>	<b>CLAIMS ASSERTED</b>	<b>CLAIMS ALLOWED</b>	<b>CLAIMS PAID</b>
Cadleway Properties	7100-000	\$1,297,963.00	\$1,723,825.24	\$1,723,825.24	\$0.00
Comerica Bank	7100-000	\$336,000.00	NA	NA	\$0.00
First Community Bank	7100-000	\$20,000.00	NA	NA	\$0.00
Five Star Transportation	7100-000	\$516,000.00	NA	NA	\$0.00
Hi-Way Equipment	7100-000	\$15,000.00	\$7,425.04	\$7,425.04	\$0.00
Hibernia National Bank	7100-000	\$30,000.00	NA	NA	\$0.00
HSBC Bank USA, National Association	7100-000	\$281,933.70	\$272,520.15	\$272,520.15	\$0.00
Hsbc/Neiman Marcus	7100-000	\$477.00	NA	NA	\$0.00
Internal Revenue Service	7100-000	NA	\$525.22	\$525.22	\$0.00
John Deere Credit	7100-000	\$150,000.00	NA	NA	\$0.00
Landstar Investments	7100-000	\$36,000.00	NA	NA	\$0.00
Martha Bourne & Associates	7100-000	\$9,000.00	NA	NA	\$0.00
Monogram Bank N America	7100-000	\$12,059.00	NA	NA	\$0.00
Monogram Bank N America	7100-000	\$3,609.48	NA	NA	\$0.00
Monogram Bank N America	7100-000	\$2,832.68	NA	NA	\$0.00
Peter Boylan	7100-000	\$31,000.00	NA	NA	\$0.00
Sojourn Partners, LLC	7100-000	\$40,000.00	\$40,000.00	\$40,000.00	\$0.00
Texaco/citibank	7100-000	\$120.00	NA	NA	\$0.00
William T. Winston	7100-000	\$206,566.00	NA	NA	\$0.00
Xxtreme Pipe Services	7100-000	\$462,706.00	NA	NA	\$0.00
Xxtreme Pipe Services	7100-000	\$462,853.00	NA	NA	\$0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>		\$3,914,119.86	\$2,044,295.65	\$2,044,295.65	\$0.00

**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page No: 1

Exhibit 8

Case No.: 07-38742-H3-7  
Case Name: BOYLAN, JOHN PATRICK  
For the Period Ending: 5/18/2010

Trustee Name: Ronald J. Sommers  
Date Filed (f) or Converted (c): 12/21/2007 (f)  
\$341(a) Meeting Date: 01/30/2008  
Claims Bar Date: 07/17/2008

1		2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)		Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA =§ 554(a) abandon. DA=§ 554(c) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
1	Homestead Legal Description: LT 59 BLK 4 HUNTLEIGH Property Address: 450 WESTMINSTER DR HOUSTON TX 77024 Debtor's wife was awarded this property in divorce. Debtor is surrendering his interest in the property.	\$668,000.00	\$0.00	DA	\$0.00	FA
2	Frost National Bank Checking Account xxxxx8888	\$0.00	\$0.00	DA	\$0.00	FA
3	Memorial Creole Apartments	\$300.00	\$0.00	DA	\$0.00	FA
4	Silverware \$50.00 Household Tools \$200.00 Computer \$500.00 Plates, China, ect. \$100.00 Den Furniture \$500.00 Dining Room Furniture \$500.00	\$1,850.00	\$0.00	DA	\$0.00	FA
5	Books \$100.00 Art \$2,000.00	\$2,100.00	\$0.00	DA	\$0.00	FA
6	Clothing	\$1,000.00	\$0.00	DA	\$0.00	FA
7	Jewelry-Wedding Ring, Cuff Links, Watch	\$1,000.00	\$0.00	DA	\$0.00	FA
8	Firearms-Winchester Rifle, 12 Gauge Shotgun, 20 Gauge Shotgun \$2,000.00 Tennis Equipment \$50.00 Misc Recreational Equipment \$100.00	\$2,150.00	\$0.00	DA	\$0.00	FA
9	Penn Mutual-Term Life Insurance Policy \$2,000,000 death benefit	\$0.00	\$0.00	DA	\$0.00	FA
10	20,000 Unexercised Stock Options in HUSA @ \$4.10 strike price	\$0.00	\$0.00	DA	\$0.00	FA
11	28% Gereral Partnership interest in Birdwell Partners 28% Membership interest in Birdwell GP, LLC 100% Shareholder of Boylan Energy Corp.	\$0.00	\$3,000.00		\$3,000.00	FA
12	2004 Chevrolert Suburban LT 1500 60,000 miles	\$19,435.00	\$0.00	DA	\$0.00	FA
13	Desk, Credenza, Chair	\$2,000.00	\$0.00	DA	\$0.00	FA
INT	Interest Earned (u)	Unknown	Unknown		\$6.13	FA

## INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

Page No: 2

Exhibit 8

## ASSET CASES

Case No.: 07-38742-H3-7  
Case Name: BOYLAN, JOHN PATRICK  
For the Period Ending: 5/18/2010

Trustee Name: Ronald J. Sommers  
Date Filed (f) or Converted (c): 12/21/2007 (f)  
§341(a) Meeting Date: 01/30/2008  
Claims Bar Date: 07/17/2008

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA =§ 554(a) abandon. DA=§ 554(c) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
TOTALS (Excluding unknown value)	\$697,835.00	\$3,000.00		\$3,006.13	Gross Value of Remaining Assets \$0.00

Major Activities affecting case closing:  
TFR SUBMITTED

Initial Projected Date Of Final Report (TFR): 12/31/2009

Current Projected Date Of Final Report (TFR): 09/30/2009

## FORM 2

## CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 07-38742-H3-7  
Case Name: BOYLAN, JOHN PATRICK  
Primary Taxpayer ID #: \*\*\*\*\*0503  
Co-Debtor Taxpayer ID #:  
For Period Beginning: 12/21/2007  
For Period Ending: 5/18/2010

Trustee Name: Ronald J. Sommers  
Bank Name: Sterling Bank  
Checking Acct #: \*\*\*\*\*8742  
Account Title: 801 - CHK  
Blanket bond (per case limit): \$1,000,000.00  
Separate bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
10/01/2009		Transfer From: 802 - MMK # *****8742	Transfer to Close Account	9999-000	\$3,006.13		\$3,006.13
10/29/2009	1000	NATHAN SOMMERS JACOBS	#42 10/28/09	*		\$1,001.32	\$2,004.81
			\$(961.00)	3110-000			\$2,004.81
			\$(40.32)	3120-000			\$2,004.81
01/28/2010	1001	Ronald J. Sommers	Trustee Compensation	2100-000		\$751.53	\$1,253.28
01/28/2010	1002	Internal Revenue Service	Claim #: 4; Amount Claimed: 23,047.92; Amount Allowed: 23,047.92; Distribution Dividend: 5.44;	5800-000		\$1,253.28	\$0.00

<b>TOTALS:</b>	\$3,006.13	\$3,006.13	\$0.00
<b>Less: Bank transfers/CDs</b>	\$3,006.13	\$0.00	
<b>Subtotal</b>	\$0.00	\$3,006.13	
<b>Less: Payments to debtors</b>	\$0.00	\$0.00	
<b>Net</b>	\$0.00	\$3,006.13	

**For the period of 12/21/2007 to 5/18/2010**

Total Compensable Receipts:	\$0.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$0.00
Total Internal/Transfer Receipts:	\$3,006.13

Total Compensable Disbursements:	\$3,006.13
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	\$3,006.13
Total Internal/Transfer Disbursements:	\$0.00

**For the entire history of the account between 10/01/2009 to 5/18/2010**

Total Compensable Receipts:	\$0.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$0.00
Total Internal/Transfer Receipts:	\$3,006.13

Total Compensable Disbursements:	\$3,006.13
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	\$3,006.13
Total Internal/Transfer Disbursements:	\$0.00

FORM 2

## CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 07-38742-H3-7  
Case Name: BOYLAN, JOHN PATRICK  
Primary Taxpayer ID #: \*\*\*\*\*0503  
Co-Debtor Taxpayer ID #:  
For Period Beginning: 12/21/2007  
For Period Ending: 5/18/2010

Trustee Name: Ronald J. Sommers  
Bank Name: Sterling Bank  
Money Market Acct #: \*\*\*\*\*8742  
Account Title: 802 - MMK  
Blanket bond (per case limit): \$1,000,000.00  
Separate bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
05/22/2008	(11)	THE CADLE COMPANY	SALE OF STOCK	1129-000	\$3,000.00		\$3,000.00
06/30/2008	(INT)	Sterling Bank	Interest Earned For June	1270-000	\$0.95		\$3,000.95
07/31/2008	(INT)	Sterling Bank	Interest Earned For July	1270-000	\$0.95		\$3,001.90
08/29/2008	(INT)	Sterling Bank	Interest Earned For August	1270-000	\$0.76		\$3,002.66
09/30/2008	(INT)	Sterling Bank	Interest Earned For September	1270-000	\$0.74		\$3,003.40
10/31/2008	(INT)	Sterling Bank	Interest Earned For October	1270-000	\$0.58		\$3,003.98
11/28/2008	(INT)	Sterling Bank	Interest Earned For November	1270-000	\$0.39		\$3,004.37
12/31/2008	(INT)	Sterling Bank	Interest Earned For December	1270-000	\$0.32		\$3,004.69
01/30/2009	(INT)	Sterling Bank	Interest Earned For January	1270-000	\$0.26		\$3,004.95
02/27/2009	(INT)	Sterling Bank	Interest Earned For February	1270-000	\$0.23		\$3,005.18
03/31/2009	(INT)	Sterling Bank	Interest Earned For March	1270-000	\$0.20		\$3,005.38
04/30/2009	(INT)	Sterling Bank	Interest Earned For April	1270-000	\$0.12		\$3,005.50
05/29/2009	(INT)	Sterling Bank	Interest Earned For May	1270-000	\$0.13		\$3,005.63
06/30/2009	(INT)	Sterling Bank	Interest Earned For June	1270-000	\$0.12		\$3,005.75
07/31/2009	(INT)	Sterling Bank	Interest Earned For July	1270-000	\$0.13		\$3,005.88
08/31/2009	(INT)	Sterling Bank	Interest Earned For August	1270-000	\$0.13		\$3,006.01
09/30/2009	(INT)	Sterling Bank	Interest Earned For September	1270-000	\$0.12		\$3,006.13
10/01/2009		Transfer To: 801 - CHK # *****8742	Transfer to Close Account	9999-000		\$3,006.13	\$0.00

SUBTOTALS

\$3,006.13

\$3,006.13



FORM 2

## CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 07-38742-H3-7  
Case Name: BOYLAN, JOHN PATRICK  
Primary Taxpayer ID #: \*\*\*\*\*0503  
Co-Debtor Taxpayer ID #:  
For Period Beginning: 12/21/2007  
For Period Ending: 5/18/2010

Trustee Name: Ronald J. Sommers  
Bank Name: Sterling Bank  
Money Market Acct #: \*\*\*\*\*8742  
Account Title: 802 - MMK  
Blanket bond (per case limit): \$1,000,000.00  
Separate bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance

<b>TOTALS:</b>	\$3,006.13	\$3,006.13	\$0.00
Less: Bank transfers/CDs	\$0.00	\$3,006.13	
<b>Subtotal</b>	\$3,006.13	\$0.00	
Less: Payments to debtors	\$0.00	\$0.00	
<b>Net</b>	\$3,006.13	\$0.00	

**For the period of 12/21/2007 to 5/18/2010**

Total Compensable Receipts:	\$3,006.13
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$3,006.13
Total Internal/Transfer Receipts:	\$0.00

Total Compensable Disbursements:	\$0.00
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	\$0.00
Total Internal/Transfer Disbursements:	\$3,006.13

**For the entire history of the account between 05/22/2008 to 5/18/2010**

Total Compensable Receipts:	\$3,006.13
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$3,006.13
Total Internal/Transfer Receipts:	\$0.00

Total Compensable Disbursements:	\$0.00
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	\$0.00
Total Internal/Transfer Disbursements:	\$3,006.13

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Case No. 07-38742-H3-7  
Case Name: BOYLAN, JOHN PATRICK  
Primary Taxpayer ID #: \*\*\*\*\*0503  
Co-Debtor Taxpayer ID #:  
For Period Beginning: 12/21/2007  
For Period Ending: 5/18/2010

Trustee Name: Ronald J. Sommers  
Bank Name: Sterling Bank  
Money Market Acct #: \*\*\*\*\*8742  
Account Title: 802 - MMK  
Blanket bond (per case limit): \$1,000,000.00  
Separate bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance

TOTAL - ALL ACCOUNTS

NET DEPOSITS

NET DISBURSE

ACCOUNT BALANCES

\$3,006.13

\$3,006.13

\$0.00

For the period of 12/21/2007 to 5/18/2010

Total Compensable Receipts: \$3,006.13  
Total Non-Compensable Receipts: \$0.00  
Total Comp/Non Comp Receipts: \$3,006.13  
Total Internal/Transfer Receipts: \$3,006.13

Total Compensable Disbursements: \$3,006.13  
Total Non-Compensable Disbursements: \$0.00  
Total Comp/Non Comp Disbursements: \$3,006.13  
Total Internal/Transfer Disbursements: \$3,006.13

For the entire history of the case between 12/21/2007 to 5/18/2010

Total Compensable Receipts: \$3,006.13  
Total Non-Compensable Receipts: \$0.00  
Total Comp/Non Comp Receipts: \$3,006.13  
Total Internal/Transfer Receipts: \$3,006.13

Total Compensable Disbursements: \$3,006.13  
Total Non-Compensable Disbursements: \$0.00  
Total Comp/Non Comp Disbursements: \$3,006.13  
Total Internal/Transfer Disbursements: \$3,006.13

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RONALD J. SOMMERS